EXAMINER'S AMENDMENT & REASONS FOR ALLOWANCE

I. **EXAMINER'S AMENDMENT:**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert F. Bodi (Reg. No. 48,540) on 11/7/2008.

The application has been amended as follows:

In the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1- 82. (Cancelled)

83. (Currently amended)**:** A data processing apparatus for processing media content comprised of a plurality of scenes, said apparatus comprising:

a processor;

a memory coupled to the processor;

an input unit operable to input ~~content~~ context description data including a plurality of segments each for describing one of said plurality of scenes of media content, said ~~content~~ context description data also including a plurality of importance attributes each associated with a corresponding one of said plurality of segments, said importance attributes having a value representing a degree of contextual importance of said corresponding one of said plurality of segments; and

an output unit operable to output at least one of said segments based on at least one of said importance attributes,

wherein said context description data further includes a plurality of time attributes each associated with one of said plurality of segments for determining a start time and one of an end time and a duration of said one of said plurality of segments in relation to said media content, and

wherein said context description data further includes linkage information for linking to dominant data that represents at least one of said segments.

84. (Cancelled)

85. (Previously presented): The data processing apparatus according to claim 83, wherein said plurality of segments are hierarchically described.

86. (Currently amended): The data processing apparatus according to claim 83, wherein said ~~content~~ context description data further includes supplemental information.

87. (Previously presented): The data processing apparatus according to claim 83, wherein the media content corresponds to video data and/or audio data.

88. (Cancelled)

89. (Currently amended): The data processing apparatus according to claim [[88]] 83, wherein said dominant data is one or more of text data, image data and audio data.

90. (Previously presented): The data processing apparatus according to claim 83, wherein said context description data is previously generated outside of said data processing apparatus prior to said inputting.

91. (Previously presented): The data processing apparatus according to claim 83, wherein said outputting is in response to a user query regarding the context.

92. (Currently amended): A data processing method, performed by a computer system, for processing media content comprised of a plurality of scenes, said method comprising the steps of:

inputting ~~content~~ context description data including a plurality of segments each for describing one of said plurality of scenes of media content, said ~~content~~ context description data also including a plurality of importance attributes each associated with a corresponding one of said plurality of segments, said plurality of importance attributes having a value representing a degree of contextual importance of said corresponding one of said plurality of segments; and

outputting at least one of said segments based on at least one of said importance attributes,

wherein said context description data further includes a plurality of time attributes each associated with one of said plurality of segments for determining

a start time and one of an end time and a duration of said one of said plurality of segments in relation to said media content, and

wherein said context description data further includes linkage information for linking to dominant data that represents at least one of said plurality of segments.

93. (Cancelled)

94. (Previously presented): The data processing method according to claim 92, wherein said plurality of segments are hierarchically described.

95. (Currently amended): The data processing method according to claim 92, wherein said ~~content~~ context description data includes supplemental information.

96. (Previously presented): The data processing method according to claim 92, wherein the media content corresponds to video data and/or audio data.

97. (Cancelled)

98. (Currently amended): The data processing method according to claim [[97]] 92, wherein said dominant data is one or more of text data, image data and audio data.

99. (Previously presented): The data processing method according to claim 92, wherein said context description data is previously generated prior said inputting.

100. (Previously presented): The data processing method according to claim 92, wherein said outputting is in response to a user query regarding the context.

101. (Currently amended)**:** A data processing apparatus comprising:

a processor,

a memory coupled to the processor,

input means for inputting hierarchically arranged context description data that describes a plurality of scenes of the media contents of one or more media files, said context description data including:

a plurality of segment elements each for describing one of said plurality of scenes,

a plurality of section elements each having either one or more of said plurality of section elements as children, or having one or more of said plurality of segment elements as children,

a plurality of context attributes each having a value for describing a corresponding context of said media content and each being an attribute associated with one or more of said segment elements and including at least one keyword for describing the contents of the scenes described by the associated one or more of said segment elements,

a plurality of importance attributes each associated with a corresponding one of said segment elements and having a value representing a degree of importance of the scene corresponding to said corresponding segment element in relation to one context attribute that is also associated with corresponding segment element, and

a plurality of time attributes each associated with one of said plurality of segments for determining a start time and one of an end time and a duration of said one of said plurality of segments in relation to the media content; and

selection means for selecting one or more of said segment elements based on an analysis of one or more of said context attributes and the associated

importance attributes, wherein one or more of said plurality of scenes is selected based on the selected segment elements and the segment element(s) start time attribute(s) and the end time or duration attribute(s).

102. (Previously presented): The apparatus of claim 101, wherein said section elements are each associated with some corresponding portion of said media contents, and wherein said context description data further includes:

another plurality of context attributes each having a value for describing a corresponding context of said media content and each being an attribute associated with one or more of said section elements and including at least one keyword for describing the contents of the corresponding portion described by the associated one or more of said section elements, and

another plurality of importance attributes each associated with a corresponding one of said section elements and having a value representing a degree of importance of the portion corresponding to said corresponding section element in relation to one of the another context attributes that is also associated with the corresponding section element.

103. (Previously presented): The apparatus of claim 102, wherein each segment element can be a child of only one section element, and wherein each

section element can be a child of only one other section element, and further wherein when a child of any of said section elements includes a segment, that section element can only have additional segment elements as children.

104. (Previously presented): The apparatus of claim 103, wherein a given section element describes that portion of the media contents that is described by the compilation of the children elements of said given section element.

II. **REASONS FOR ALLOWANCE:**

Claims 83, 85-87, 89, 90-92, 94-96, and 98-104 are allowed.

The following is an examiner's statement of reasons for allowance:

Applicant's terminal disclaimer filed 11/11/2008 has been approved. The previous nonstatutory double patenting rejection is withdrawn.

Interpreting the claims in light of the specification, Examiner finds the claimed invention is patentably distinct from the prior art of record, as argued by Applicant in the Appeal Brief filed 09/25/2008.

As argued by Appellant (see Brief, page 17), the prior art fails to disclose or suggest "*inputting context description data including a plurality of segments each for describing one of said plurality of scenes of media content, said context description data also including a plurality of importance attributes each associated with a corresponding one of said plurality of segments, said plurality of importance attributes having a value representing a degree of contextual importance of said corresponding one of said plurality of segments, wherein said context description data further includes linkage information for linking to dominant data that represents at least one of said plurality of segments"* (as recited in independent Claims 83 and 92).

The Examiner asserts that the claims overcome the prior art of record when the limitations are read in combination with the respective claimed limitations in their entirety.

Dependent claims are allowed as they depend upon allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact information

III. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272- 4093. The examiner can normally be reached on Monday - Friday from 9:00am – 30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maikhanh Nguyen/
Examiner, Art Unit 2176

/Doug Hutton/
Doug Hutton
Supervisory Primary Examiner
Technology Center 2100